

1 HONORABLE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 EDWARD ROOSEVELT
10 WHITTINGTON,

11 Plaintiff,

12 v.

13 STEVEN SINCLAIR,

14 Respondent.

15 CASE NO. C15-652 RAJ

16 ORDER

17 This matter comes before the court upon the Report and Recommendation
18 (“R&R”) of the Honorable Brian A. Tsuchida, United States Magistrate Judge (Dkt. # 4)
19 and Plaintiff’s motion to withdraw 2254 petition. (Dkt. # 5). Plaintiff has advised the
20 court that he mistakenly filed his 2254 petition and seeks to withdraw it from the court’s
21 docket. Accordingly, the court grants plaintiff’s motion and declines to adopt the R&R
22 because it is now moot. The clerk is directed to close this case.

23 Dated this 20th day of May, 2015.

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26 The Honorable Richard A. Jones
27 United States District Judge